

**KWAME M. KILPATRICK, MAYOR**  
CITY OF DETROIT  
EXECUTIVE OFFICE

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August 18, 2008

Mr. Kelly Keenan Esq.  
Legal Counsel to the Governor  
The Honorable Jennifer M. Granholm  
George W. Romney Building  
111 South Capitol Avenue  
Lansing, Michigan 48909

Re: Council Forfeiture Hearings Will Not be Held

Dear Mr. Keenan,

Moments ago, Judge Robert Zilkowki ruled that, pursuant to the Charter of the City of Detroit, the City Council may not hold hearings for forfeiture of the Mayor's Office. This ruling was based essentially upon the Plaintiff's position that the Charter did not allow for forfeiture in any provision cited by the Council for amorphous "official misconduct". I will forward the transcript to your attention as soon as I receive it.

In that the statute authorizing the Governor to remove an elected official contains the same language as that by which the Council was proceeding, we ask that you reconsider the matter of our request for a stay of the Governor's proceedings until after the resolution of the Prosecutor's case. Since the preliminary examination has been waived, we are days from the start of the Prosecutor's case: Holding a parallel proceeding, in which the Respondent is under the compulsion of loss of this office, is a violation of his Fifth Amendment rights. Please advise.

Sincerely,



Sharon McPhail  
Counsel to the Honorable Kwame M. Kilpatrick

Cc: James Thomas  
William Goodman  
Dan Webb  
David Whitaker